

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIAM OLLIE POWELL,

Plaintiff,

Case No. 04-71110

v.

HONORABLE SEAN F. COX  
HONORABLE STEVEN D. PEPE

DETROIT POLICE OFFICERS:  
ROYICE HILL, JAMES WOODSIDE,  
RONALD HOPP, FRANKLIN HAYES,  
LEVIA DAVIS, SHONTE WHITE, AND  
LT. MICHAEL LEE,

Defendants.

---

**OPINION AND ORDER (RE: DKT. #51)**

On July 26, 2006, Plaintiff's Motion to Compel Discovery was referred to the undersigned pursuant to 28 U.S.C. 636 (b)(1)(A). The undersigned issued a August 28, 2006, Order asking Plaintiff to show cause why he submitted a motion to compel documents after the discovery cut-off of June 15, 2006. Plaintiff has not responded. Therefore, Plaintiff's Motion to Compel Discovery is DENIED without prejudice to Plaintiff filing a motion to reopen discovery.

In the August 28, 2006, Order to Show Cause the undersigned indicated that it is was not possible from reading Plaintiff's Motion to Compel Discovery to determine whether Plaintiff is requesting documents that were listed in his original request for discovery or whether Defendant is making a new request, and pointed out that Plaintiff had not replied to Defendants' allegation that they did not receive any requests for production during discovery (Dkt. #45).

Plaintiff was given until September 11, 2006, to indicate whether his motion referred to

documents requested in his initial request for discovery, and to include a copy of that request in response to the Order. It was explained that failure to comply would result in denial of the Plaintiff's Motion to Compel Discovery without prejudice to Plaintiff filing a motion to reopen discovery.

Plaintiff has not responded to the August 28, 2006, Order to Show Cause. The undersigned cannot make a ruling on Plaintiff's motion because no information has been provided regarding the timeliness of Plaintiff's request. Therefore, Plaintiff's Motion to Compel Discovery is DENIED without prejudice to Plaintiff filing a motion to reopen discovery.

SO ORDERED.

Dated: October 10, 2006  
Ann Arbor, Michigan

s/Steven D. Pepe  
United States Magistrate Judge

Certificate of Service

I hereby certify that a copy of this Order was served upon all parties of record by electronic means and or U. S. Mail on October 10, 2006.

s/Deadrea Eldridge  
Courtroom Deputy Clerk